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Federal Communications Commission
Office of the Secretary

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January 19, 1988

H. Walker Feaster, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

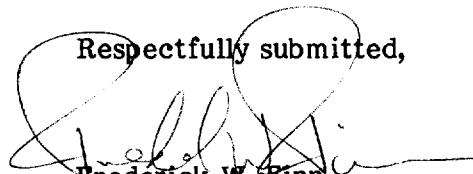
Re: Advanced Television Systems
MM Docket No. 87-268 ✓

Dear Mr. Feaster:

Enclosed please find five copies of Reply Comments for filing on behalf of VisionAire, Inc.

Should the Commission have any questions, do not hesitate to contact the undersigned.

Respectfully submitted,


Frederick W. Finn
Counsel to VisionAire, Inc.

FWF:bf
Enclosure

cc: VisionAire, Inc.

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JAN 19 1988

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In the Matter of

ADVANCED TELEVISION SYSTEMS
And Their Impact on The Existing
Television Broadcast Service

Review of Technical and Operational
Requirements: Part 73-E.
Television Broadcast Stations

Reevaluation of the UHF Television
Channel and Distance Separation
Requirements of Part 73 of the
Commission's Rules

MM Docket No. 87-268

REPLY COMMENTS

VisionAire, Inc. ("VisionAire") is a tentative selectee to provide multichannel, multipoint distribution service (MMDS) in multiple markets throughout the United States. In this capacity it has investigated a variety of uses for the MMDS service. One exciting potential use of the MMDS service would be to provide advanced television services (ATV) such as high definition TV services through one or more of the methods discussed in the Notice and addressed in the comments in this proceeding.

To date, because of programming and other obstacles, only a few MMDS systems are in operation. Thus this technology presents a fertile ground for high definition TV. In its Notice, the Commission specifically proposes potential sharing of the band between 2.5 and 2.69 GHz. Notice. ¶53. We strongly urge that the Commission permit the use of this band for high definition TV but do nothing to harm the interests of those who are already MMDS tentative selectees, permittees, or licensees. VisionAire believes that in order for the Commission to optimally authorize ATV services, it should do so through

the existing tentative selectees, licensees and permittees. These are the entities which have already expended a considerable amount of resources in researching the markets, filing for MMDS licenses negotiating with programmers and hardware suppliers, etc. Authorizing ATV services to be provided by these entities will involve considerably less time in bringing these services to market than any reallocation or mandated sharing proposal.

There are, however, some actions that the Commission should consider while looking at the use of MMDS for the provision of ATV services. Under the rules, unless restricted in the license, MMDS operators "may render any kind of communication service consistent with the Commission's Rules on a common carrier or a non-common carrier basis. . . ." Section 21.903(b). Therefore, at least in theory, MMDS is eligible to provide ATV services. We urge the Commission to clarify this understanding.

There are currently several provisions in the Commission's Rules which may serve to restrict the ability of MMDS operators to provide ATV services. For example, Sections 21.901(b) (4) and (5) establish the configuration of MMDS channel groupings. As the Commission will note these channel groupings are interleaved. Channel E_1 for example, is located at 2596-2602 MHz. Channel F_1 is next in the spectrum located from 2602-2608 MHz, then comes Channel E_2 from 2608-2614 MHz, etc. Under existing rules, (Section 21-901(c)(2)) the E group of channels must be assigned to a different applicant from the F group of channels. This may present serious marketing and technical problems for MMDS operators seeking to use their channels for ATV. Most forms of high definition TV require the use of at least 9 to 12 MHz of space for a single ATV signal. It would appear this spectrum space should be adjoining. Yet the existing rules provide only for an interleaved allocation and do not appear to permit one entity to be authorized for adjacent channels. We would urge that the Commission specifically amend these rules to clarify, 1) that MMDS service may be used for ATV and 2) that E Channel tentative

selectees and F Channel tentative selectees may agree to exchange channel authorizations so as to facilitate the provision of ATV services.

Respectfully submitted,

VISIONAIRE, INC.

By: 

Frederick W. Finn
Its Counsel

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January 19, 1988

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